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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,847	08/27/2001	Daniel Lee Thompson	G&C 30566.129US01	3159

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EXAMINER

CHEN, TE Y

ART UNIT PAPER NUMBER

2171

DATE MAILED: 11/21/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/939,847

Applicant(s)

THOMPSON ET AL.

Examiner

Susan Y Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 04 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-36 are presented for examination.

Specification

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicants may become aware in the specification. Also, It is noted that although the present specification contains line numbers in the specification and claims, the lines in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both Examiner and Applicant all future correspondence should include the recommended line numbering.

Drawings

3. The drawings are objected to because of the following informality:
Fig. 4, part of the text description is typed upside-down against the instant figure. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 1 is rejected under 35 USC 101, because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological art. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological art fail to promote the “progress of science and the useful arts” (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a method claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts.

In the present case, claim 1 only recites an abstract idea – stylizing data in the preamble. The body of the claim merely contains the steps to obtain a domain object, an application object and a presentation object, since these steps only constitute an idea of obtaining objects, which does not apply, involve, use, or advance the technological art for stylizing data. Additionally, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result. In the

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present case, the claim preamble likes to produce stylizing data, however, nothing in the body of the claim recites any structure or functionality to suggest the implementation of stylizing data. Therefore, the preamble is taken to merely recite an idea of use. Since the claimed invention, as a whole, is not within the technological arts as explained above, claim 1 is deemed to be directed to non-statutory subject matter.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-12, are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

5. As to claim 1, Applicant fails to disclose the technique as how to use the obtained objects as claimed to stylizing data. The claim as a whole only contains the steps to obtain a plurality objects, which fails to specify any algorithm or mechanism of linking, using, and integrating the obtained objects for data stylizing. As such, it is not enable

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one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

6. As to claims 2-12, these claims have the same defects as their base claims, hence are rejected for the same reason.

7. Because the abstract nature of instant claim, the following rejection are based on the examiner's best understanding.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-36, are rejected under 35 U.S.C. 102(e) as being anticipated by Helgeson et al. (U.S. Patent No. 6,643,652).

As to claim 13, Helgeson et al. (hereinafter referred as Helgeson) discloses a system as claimed by applicant for stylizing data (or transform data) [e.g., see Abstract, lines 3-9; col. 2, lines 51-67]) in a network [e.g. see, Fig. 1], comprising:

a) an objected-oriented computer system having memory and a data storage device coupled thereto [e.g., see 211, 209, 217, 219, 221, 223, Fig. 2; col. 5, lines 13-14];

b) a domain object stored in the memory of the computer, the domain object comprising an object representation of data stored in a database for a domain entity [e.g. the business object of the fgt-dd-class which stored in the meta-data store as a database table as shown at col. 14 , line 23 – col. 15, line 53];

c) an application object stored in the memory of the computer, the application object comprising an object representation of the data in the domain object that is relevant for a particular computer application [the Applications (507), Fig. 5];

d) a presentation object stored in the memory of the computer, the presentation object comprising an object representation that encapsulates a visual appearance of the data in the application object [e.g. the XSLT stylesheet, col. 51, lines 31-34].

As to claim 14, the claimed feature – domain object contains all information about the domain entity -- is a default design criteria of a domain object;

As to claims 15 and 17, Helgeson further discloses the stylization agent object configured to obtain the application and application objects for the domain object based on stylization context (or metadata) [e.g., see Fig(s). 13 - 16; col. 115, lines 10-33].

As to claim 16, the claimed feature – the application object comprises business logic for the particular application is the nature property of a of business application.

As to claims 18-19, Helgeson further discloses a stylizer object [e.g., the information Distributor Kit (IDK) at 1100, Fig. 11] comprising:

- a) a selected domain object [e.g., the language 1102, Fig. 11];
- b) a stylization context object, wherein the stylization context object includes a stylization context [e.g. the RDF object; col. 113, lines 41-58];
- c) a stylization agent [e.g. the ImportAgent, MatchAgent, DeliveryAgent, etc, col. 7, lines 1-5; col. 116, lines 21-64];
- d) a mapping of the stylization agent to a paired index of data objects and stylization context objects [e.g., the mapping module (1600) of Fig. 16; the RDF attribute/value pair indexing processing, col. 117, lines 35-46];
- e) a stylize method that invokes an appropriate stylization agent based on the mapping [e.g. the utility Match () method, col. 130, lines 54-55].

As to claims 20-21, Helgeson further discloses the system caches application object and presentation objects [e.g., see col. 47, line 44 – col. 48, line 60].

As to claims 22-24, the claimed features – the domain entity is a mechanical & AEC and GIS entity is default nature of a domain object in an internet data exchange computer system.

As to claims 25-36, these claims recite the same features as claims 13-24 in form of article of manufacture, hence are rejected for the same reason.

As to claims 1-12, the steps in the claimed method are deemed to be made inherent by the functions of the apparatus structure of claims 13-24 and 25-36 in the combination discussed above, hence were rejected for the same reasons.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, including: 1) Hyman et al. (U.S. Patent No. 6,446,256) which disclosed a system with means/steps to parse and analysis a document, such that the parsed structure can be extended to include external objects, e.g., the XSL stylesheet which providing additional functionality; 2) Williams (U.S. Patent No. 6,591,272) which disclosed a system to make and transmit objects from a database of a server computer to a client computer.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is (703) 308-1155. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (703) 308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-6296.



UYEN LE
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Susan Chen
Nov. 15, 2003